

**REMARKS**

This is intended as a full and complete response to the Final Office Action dated March 6, 2006, having a shortened statutory period for response set to expire on June 6, 2006.

Claims 1, 3-9 and 48-67, 69-78, and 80-81 remain pending in the application and are shown above. Claims 1, 3-9, and 48-66 are indicated to be allowable and claims 77 and 80 are objected. Claims 68 and 79 have been cancelled. Reconsideration of the rejected claims is requested for reasons presented herein.

**35 U.S.C. § 102**

Claims 78 and 79 are rejected under 35 U.S.C. § 102(b) as being anticipated by *Church*, U.S. Patent No. 2,305,062.

*Church* discloses a cementing plug that is run in on pipe. The plug is anchored to the casing when it reaches the proper location. Thus, the anchored *Church* plug does not allowed movement in either direction. *Church* does not teach, show, or suggest one or more gripping members are selectively actuatable to grip the casing to prevent movement of the plug in a first axial direction relative to the casing but allow movement of the plug in a second axial direction relative to the casing and a valve for controlling fluid flow through the bore, as recited in claim 78. Withdrawal of the rejection is respectfully requested.

**35 U.S.C. § 103**

Claim 81 is rejected under 35 U.S.C. § 103(a) as being unpatentable over *Church*.

Claim 81 depends from claim 78. As discussed above, Applicants believe claim 78 is in condition for allowance. Therefore, Applicants also believe claim 81 is in condition for allowance.

Claims 67-76 are rejected under 35 U.S.C. § 103(a) as being unpatentable over *Brown*, U.S. Patent No. 2,572,309 in view of *Rogers*, U.S. Patent No. 6,318,472. The

PATENT  
Atty. Dkt. No. WEAT/0343

Examiner states that *Brown* discloses all of the claimed features except for the use of a shearable plug. The Examiner states that *Rogers* discloses a shearable plug. The Examiner concludes that it would have been obvious to use the shearable means of *Rogers* to "allow better control of the cementing operation."


*Brown* discloses a cementing plug having an upper portion adapted to receive a cap to form a closure for the bore of the body. (See col. 2, lns. 24-30). The plug is removed by drilling. (See col. 5, lns. 5-10). *Rogers* discloses a plug having a rupture disc. Other than the Examiner's conclusory statement, there is no motivation or suggestion to provide the *Brown* plug with a rupture disc. The Examiner has not explained how such a combination would allow for "better control of the cementing operation." Because the Examiner failed to *particularly* identify any suggestion, teaching or motivation from within the references to combine the references, he has not met his burden of establishing *prima facie* obviousness. See *In Re Dembiczak*, 50 USPQ2d 1614 (Fed. Cir. 1999). Therefore, Applicants respectfully request withdrawal of the rejection and allowance of the claims.

### Conclusion

The references cited by the Examiner, alone or in combination, do not teach, show, or suggest the invention as claimed.

Having addressed all issues set out in the office action, Applicants respectfully submit that the claims are in condition for allowance and respectfully request that the claims be allowed.

Respectfully submitted,



Jason C. Huang  
Registration No. 46,222  
PATTERSON & SHERIDAN, L.L.P.  
3040 Post Oak Blvd. Suite 1500  
Houston, TX 77056  
Telephone: (713) 623-4844  
Facsimile: (713) 623-4846  
Attorney for Applicants

Page 9

464763\_1